

Co., 335 U.S. 331, 339 (1948). The individual seeking to proceed in forma pauperis need only show indigence or poverty sufficient to demonstrate her inability to provide for the necessities of life while paying the costs of litigation. Id. at 339-40. If a court determines at any time that the allegation of poverty made in an in forma pauperis application is “untrue,” then the court “shall dismiss the case.” 28 U.S.C. § 1915(e)(2)(A).

The Plaintiff’s Application shows average monthly income for the past 12 months of \$918, consisting of \$500 in income from real property, and \$418 in public assistance, both assigned to his spouse. [Doc. 1 at 1-2]. The Plaintiff claims to have had no other income for the past two years. [Id. at 2]. He claims that his spouse made \$4,000 gross monthly pay between May 2021 and some illegible date in 2021, and that she made \$9,000 gross monthly pay for an unspecified period. [Id.]. As assets, the Plaintiff claims to have \$6 in cash, a home worth \$45,000, and two motor vehicles for which he fails to assign a value. [Id. at 2-3]. The pages of the Application addressing the household’s average monthly expenses are partially obscured, and the Plaintiff has failed to provide a monthly expense total for himself or his spouse. [Id. at 4-5]. The Plaintiff does expect major changes to his monthly income, expenses, assets, or liabilities during the next 12 months, stating “disability.” [Id. at 5]. The Plaintiff does not expect to have

expenses or attorney fees in conjunction with this lawsuit. [Id.]. He further explains his inability to pay the costs of these proceedings as follows: “Waiting on disability case have not worked in 7 or 8 years.” [Id.].

The Court is not satisfied that the Plaintiff is unable to pay the costs of these proceedings. His Application is incomplete and partially illegible, he fails to explain the source of his spouse’s \$500 monthly income from real property, and he fails to fully explain his spouse’s employment history for the past two years and her present lack of employment income. Accordingly, the Application will be denied without prejudice for the Plaintiff to pay the full filing fee or file an Amended Application to proceed in forma pauperis within 14 days of this Order. The failure to timely comply with this Order will result in this case’s dismissal without prejudice and without further notice to the Plaintiff.

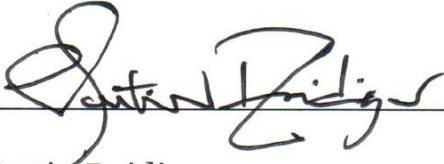
IT IS, THEREFORE, ORDERED that:

1. The Plaintiff’s Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 1] is **DENIED**.
2. The Plaintiff shall have **fourteen (14) days** in which to pay the filing fee or file an Amended Application to proceed in forma pauperis (Long Form, AO 239). If the Plaintiff fails to timely comply with this Order, this action will be dismissed without prejudice and without

further notice.

IT IS SO ORDERED.

Signed: July 9, 2022

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
Chief United States District Judge

